

SUPPORT FOR THE AMENDMENTS

Claim 8 was originally presented in the application as filed and was subsequently amended in the Amendment filed on December 5, 2002. Claims 13-16 were originally presented in the Amendment filed on February 3, 2003. Claims 17-19 were originally presented in the Amendment under 37 C.F.R. §1.312 filed on April 22, 2003. Claims 13 and 16-19 have been amended for clarity. Support for amended Claims 13 and 16-19 can be found in the same claims, as previously presented. Claims 20-22 are presented herein for the first time. Support for new Claims 20-22 can be found in Claim 8, as previously presented.

No new matter has been added. Claims 8 and 13-22 are active in this application.

REMARKS/ARGUMENTS

The present claims relate to a method for tillering promotion of lawn grass, comprising: applying at least one amino acid selected from the group consisting of arginine, glutamine and proline onto the surfaces of the leaves of lawn grass; and applying inosine to the subterranean part(s) of the lawn grass.

The rejection of Claims 8 and 13-16 under 35 U.S.C. §102(e) in view of U.S. Patent No. 6,448,202 (Miyazawa et al) is respectfully traversed on the ground that this reference is not prior art against the present application under 35 U.S.C. §102(e). Specifically, any disclosure, in Miyazawa et al, of the invention disclosed and claimed in the present application is the work of the inventors of the present application. Thus, any disclosure, in Miyazawa et al, of the invention disclosed and claimed in the present application is not the work of another.

In support of this assertion, Applicants cite the Declaration under 37 C.F.R. §1.132 of Miyazawa et al being filed herewith (the executed declaration will be filed as soon as it is received from Japan). As noted in the Declaration of Miyazawa et al, "Yuki Miyazawa,

Masahiko Kurauchi, and Hiroyuki Sato are the inventors of the invention disclosed and claimed” in the present application; “Makoto Takeuchi did not contribute inventively to the invention disclosed and claimed” in the present application; and “[a]ny disclosure in Miyazawa et al of the invention disclosed and claimed” in the present application “is the work of Yuki Miyazawa, Masahiko Kurauchi, and Hiroyuki Sato, and not the work of Makoto Takeuchi.” Thus, Miyazawa et al is not prior art against the present application under 35 U.S.C. §102(e).

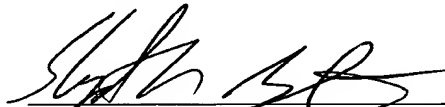
Accordingly, the rejection should be withdrawn.

Lastly, Applicants note that an Information Disclosure Statement (“IDS”) was filed on March 17, 2003. However, to date, Applicants have not received any confirmation that the references disclosed in that IDS have been considered. Accordingly, Applicants respectfully request that the Examiner return an initialed copy of the Form PTO 1449 filed with the IDS with the next communication from the PTO.

Applicants submit that the application is now in condition for allowance, and early notification of such action is earnestly solicited.

Respectfully submitted,

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